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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/670,033	09/24/2003	Dave Rotheroe	200300848-1	5021

22879 7590 01/18/2007  
HEWLETT PACKARD COMPANY  
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INTELLECTUAL PROPERTY ADMINISTRATION  
FORT COLLINS, CO 80527-2400

EXAMINER
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NGUYEN, PHUNG

ART UNIT	PAPER NUMBER
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2612

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	01/18/2007	PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

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<b>Office Action Summary</b>	<b>Application No.</b> 10/670,033	<b>Applicant(s)</b> ROTHEROE, DAVE	
	<b>Examiner</b> Phung T. Nguyen	<b>Art Unit</b> 2612	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 06 November 2006.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-52 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-52 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)          | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____  | 6) <input type="checkbox"/> Other: _____                          |

**DETAILED ACTION**

***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-5, 13-14, 21, 27-30, and 35-38 are rejected under 35 U.S.C. 102(b) as being anticipated by Smith (U.S. Pat. 6,147,484).

**Regarding claim 1:** Smith discloses device for measuring power using switchable impedance comprising a power cord that provides electrical energy to the electrical device; a measurement circuit embedded within the power cord that measures a parameter of the electrical energy supplied to the electrical device, and provides an output signal indicative of the parameter of the electrical energy (fig. 5, col. 1, lines 58-66, and col. 5, lines 34-39).

**Regarding claim 2:** Smith discloses wherein the power cord comprises a male plug end and a female receptacle end, and wherein the measurement circuit is embedded within either the male plug end or the female receptacle end as shown in figure 5.

**Regarding claim 3:** Smith discloses wherein the power cord has a male plug end and a female receptacle end and wherein the measurement circuit is situated between the male plug end and the female receptacle end as seen in figure 5.

**Regarding claim 4:** Smith discloses wherein the measurement circuit measures at least one of current and voltage (col. 1, lines 59-66).

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**Regarding claim 5:** Smith discloses an electrical connector for connecting the output of the measurement circuit to an external circuit (fig. 5, col. 1, lines 10-17).

**Regarding claim 13:** All the claimed subject matter is already discussed in respect to claims 1 and 4 above.

**Regarding claim 14:** Refer to claim 4 above.

**Regarding claim 21:** All the claimed subject matter is already discussed in respect to claim 1 above. Smith inherently teaches the use of ADC (analog to digital converter) that converts the representation to a value associated with the electrical parameter and a memory, and a processor that stores the representation to the memory (col. 1, lines 58-67, and col. 3, lines 1-2).

**Regarding claim 27:** All the claimed subject matter is already discussed in respect to claim 1 above.

**Regarding claim 28:** Refer to claim 2 above.

**Regarding claim 29:** Refer to claim 3 above.

**Regarding claim 30:** Refer to claim 4 above.

**Regarding claim 35:** All the claimed subject matter is already discussed in respect to claim 1 above.

**Regarding claim 36:** Refer to claim 2 above.

**Regarding claim 37:** Refer to claim 3 above.

**Regarding claim 38:** Refer to claim 4 above.

***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 6-12, 15-20, 22-26, 31-34, and 39-52 are rejected under 35 U.S.C. 103(a) as being unpatentable over Smith in view of Fischer et al. (US 6,963,285).

**Regarding claim 6:** Smith discloses generating the output signal from the measurement circuit (col. 1, lines 58-67) except storing the output. However, Fischer et al. disclose outage notification device and method comprising the communication device 64 may be able to log the exact time the outage occurred (col. 13, lines 34-38). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to employ the technique of Fischer et al. in the system of Smith in order to store and transmit a response to the query from the computer which is convenient.

**Regarding claim 7:** Fischer et al. disclose wherein the intelligence module comprises an interface that permits a computer to query the intelligence module for the stored output (col. 5, lines 28-32).

**Regarding claim 8:** Fischer et al. disclose a wired or wireless network interface (col. 3, lines 44-49).

**Regarding claim 9:** Smith inherently discloses wherein the interface wherein the intelligence module compares the output with a threshold and generates an alarm signal if

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the output crosses the threshold (col. 1, lines 63-67).

**Regarding claim 10:** Refer to claim 9 above.

**Regarding claim 11:** Fischer et al. disclose an interface that permits a computer to query the intelligence module for the stored output (col. 5, lines 28-32).

**Regarding claim 12:** Fischer et al. disclose wherein the interface comprising a wired or wireless network interface (col. 8, lines 46-49).

**Regarding claim 15:** Refer to claim 6 above.

**Regarding claim 16:** Refer to claim 7 above.

**Regarding claims 17-18:** Refer to claim 9 above.

**Regarding claim 19:** Refer to claim 11 above.

**Regarding claim 20:** Refer to claim 12 above.

**Regarding claim 22:** Refer to claim 7 above.

**Regarding claim 23:** Refer to claim 8 above.

**Regarding claim 24:** Refer to claim 9 above.

**Regarding claims 25-26:** Fischer et al. disclose a plurality of measurement circuits embedded within a plurality of electrical cords and a multiplexer (fig. 1, col. 5, lines 7-17).

**Regarding claim 31:** All the claimed subject matter is already discussed in respect to claims 1 and 6 above.

**Regarding claim 32:** Refer to claim 7 above.

**Regarding claim 33:** Refer to claim 24 above.

**Regarding claim 34:** Refer to claims 25-26 above.

**Regarding claim 39:** Refer to claim 6 above.

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**Regarding claim 40:** Refer to claim 7 above.

**Regarding claim 41:** Refer to claim 33 above.

**Regarding claim 42:** Refer to claim 33 above.

**Regarding claim 43:** All the claimed subject matter is already discussed in respect to claims 1 and 6 above.

**Regarding claim 44:** Refer to claim 7 above.

**Regarding claim 45:** Refer to claim 33 above.

**Regarding claim 46:** Refer to claim 34 above.

**Regarding claim 47:** All the claimed subject matter is already discussed in respect to claims 1, 6, and 7 above.

**Regarding claim 48:** Refer to claim 8 above.

**Regarding claim 49:** Refer to claim 33 above.

**Regarding claim 50:** Smith discloses sending the calculated values alarm to the computer (col. 1, lines 66-67, and col. 5, lines 22-25).

**Regarding claim 51:** Smith discloses receiving the input signal from electrical cord as seen in figure 5.

**Regarding claim 52:** Smith discloses receiving input signals from a plurality of measurement circuits embedded within a plurality of electrical cords as shown in figure 5.

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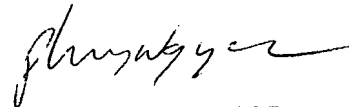
***Conclusion***

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Phung Nguyen whose telephone number is 571-272-2968. The examiner can normally be reached on Monday to Friday from 8:00am to 5:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Daniel J. Wu, can be reached on 571-272-2964. The fax number for this Group is 571-273-8300.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is 571-272-2600.

Phung Nguyen



Date: January 10, 2007